Mr. M. Sivarama Menon *(Advocate-General):* Courts of law are keeping pace with the recurrence of the offences.

Mr. President: This is question time. I request Hon'ble Member to ask questions.

Mr. M. Sivarama Menon *(Advocate-General):* When there is a repetition of the same crime the punishment may be increased. There have been cases where Rs. 200 and Rs. 300 have been imposed as fine.

Dr. A. R. Menon *(Trichur-North):* If there is a repetition of the offence, the fine also should be increased.

Mr. A. B. Salem *(Mattancheri):* May I know whether the petty merchants making Rs. 5 or Rs. 10 are prosecuted?

Mr. M. Sivarama Menon *(Advocate-General):* Yes they are prosecuted.

CASTEWAR STATEMENT OF THE STAFF OF THE OFFICE OF THE COMMISSIONER OF POLICE

109. Mr. M. L. Joseph *(Latin-Christians-Cranganur):* (*a*) Will Government be pleased to give a caste-war statement of the staff of the Office of the Commissioner of Police as it existed on the 1st of April 1942;

(*b*) will Government be pleased to state if any changes have been made in the personnel of the Police Commissioner's Office after the 1st of April 1942;

(*c*) if any change has been effected, will Government kindly state the nature of the change?

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* (*a*) A statement is appended. *(Appendix VIII).*

(*b*) Yes.

(*c*) (1) Officiating Manager, Mr. A. Krishna Menon (Rs. 100—150) was transferred as officiating Sub-Magistrate, Irinjalakkuda (Rs. 125—150) on 2nd April 1942.

(2) Mr. K. A. Narayana Menon, Inspector of Police, C. I. B., (Rs. 80+20 duty allowance) was appointed as officiating Manager of the Head Office on Rs. 100—150 on 18th April 1942.

(3) A. S. Neelakantan Asari was appointed as officiating attender on Rs. 16 on 14th April 1942 and was thrown out on 20th May 1942.

(4) Miss Ruby E. Daniel, officiating attender on Rs. 16 was dispensed with on 2nd May 1942.

(5) V. N. Ayyappan was appointed as officiating attender on Rs. 16 on 3rd May 1942.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* May I know whether any minimum qualification has been prescribed for the Manager of the Office of the Police Commissioner?

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* He should be a graduate.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* Was there not an order that only a law-graduate should be appointed in the offices of the District Magistrate and the Police Commissioner some time back?

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* I want notice.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* I ask with regard to this question whether there was any such order that only law graduates should be appointed as the Head clerk of the District Magistrate Court and Manager of the Police Commissioner's Office.

Rama Varmha Tampuran *(Secretary to Government):* I want notice.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* May I know Sir, whether during the last five years any person who was not a law graduate has been holding this post?

Rama Varmha Tampuran *(Secretary to Government):* Of course there is one thing.

The President left the Chair at 11-57 when Mr. K. Ayyappan, the Deputy President took the Chair.

Rama Varmha Tampuran *(Secretary to Government):* The Manager of the Police Commissioner's Office was until about a year ago, a law-graduate and the Head clerk of the District Magistrate's Court is also a law-graduate.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* My question is whether in the appointment of the present incumbent to the post, Government have issued any exemption. The Police Commissioner says that the minimum qualification prescribed is B. A. Even admitting

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that it is true state of affairs, may I know whether any exemption was given in the present appointment.

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* I have answered it already.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* May I know Sir, whether any exemption have been granted in the matter of chief ministerial officers of any other department, recently? Here it is said that the chief ministerial officer has been given exemption for the purpose of appointment. May I know whether there have been any other instances of this nature in any other departments during the last one year or so.

Rama Varmha Tampuran *(Secretary to Government):* That point is not clear whether he must be a law-graduate or not.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* The House can take it from me that there was such an order.

Rama Varmha Tampuran *(Secretary to Government):* The doubt is there, whether that order refers to only to initial recruitment or whether it refers to others also. Anyhow there is a point of doubt. And so far as that point has not been settled we cannot say that this has been irregular. That is why I said "I want notice".

Mr. C. R. Iyyunni *(Trichur-South):* Suppose the Hon'ble Secretary is convinced that the law is otherwise, will the Government be pleased to revert him to his former post?

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* The present appointment is in order.

Deputy President: The question time is over.

THE COCHIN CHRISTIAN SUCCESSION ACT (AMENDMENT) BILL

Mr. A. V. Moothedan *(Chalakkudi):* Regarding the motion standing in my name I wish to make a statement. The Hon'ble Members Mr. Iyyunni and Mr. A. L. Antony want to have further consultations. I therefore request that the bill may be taken up in the Vrischigam session. Therefore I don't move.

THE COCHIN CHRISTIAN CIVIL MARRIAGE ACT REPEAL BILL

Mr. C. V. Iyyu *(Kunnamkulam):* Sir, The reasons given by me in the speech which was not completed last time are sufficient argument that this Act does not deserve a place in the Statute Book of any State and that this Act must be repealed.

Mr. V. J. Mathai *(Planters):* On a point of information, Sir. Shall we know as to whether Act 20/1110 is not for the celebration of marriages between different communites.

Mr. M. Sivarama Menon *(Advocate-General):* Yes.

Mr. V. J. Mathai *(Planters):* Sir, I oppose this motion. If I remember rightly the occasion for the Cochin Christian Civil Marriage Act was the refusal by priests to solemnise certain marriages. I think it was the Narakkal Church affair. The parishners for some reason or other revolted against the authority of the priests and the priests refused to solemnise any marriage. While I was a lawyer a typical case came before me. A poor father came before me and said that I must file a suit for damages against the Bishop of Cochin because a priest refused to solemnise the marriage of his daughter aged 19 because he owed some money to a particular church in a different transaction altogether. It seems he conducted a kuri and the church had taken a ticket in the kuri and some money was due to the church. The church could not realise it. They thought that he had secreted his property in somebody's name. After making all the arrangements he took the girl to the church but the priest refused to solemnise the marriage. Therefore, it becomes practically a tyranny of the priesthood. If people want to escape from that tyranny they should have the freedom to do so. After all the law is made for man and not man made for law. If I remember rightly it was on account of the agitation of the Christians themselves that this Act was passed. My only doubt was whether Act 21/10 will enable Christians to solemnise marriages without the aid of church. I am supported by the authority of the Advocate-General. It was my view that it takes in cases like Christians marrying Nayars, Nayars marrying Christians, Muhammadans marrying Christians and so on. It may not apply to this particular case. Therefore there is real danger in repealing this Act.

Mr. A. V. Moothedan *(Chalakkudi):* Sir, I oppose this motion. The other day when I listened to my friend Mr. Iyyu's speech when he was introducing this bill, I thought he has brought this Bill as a saviour of catholicism. But so far as I am concerned, I know almost all the catholic Bishops personally. No one of them has told me of the necessity of repealing this Bill. It is a dead law. There may be some stray cases. Let them take advantage of it. That is my preliminary observation.

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APPENDIX VIII

(Please see Answer to Question No. 109)

Caste-war statement on 1st April 1942

	Name	*Designation*	*Pay*
	Nayars		*Rs.*
1.	A. Krishna Menon	Officiating Manager	100—150
2.	C. T. Narayana Menon	Head clerk	80—100
3.	K. Vasudeva Menon	Second clerk	60—80
4.	M. Krishnan Nayar	Clerk	40—60
5.	K. Narayana Menon	do.	do.
6.	Sivaraman Nayar	do.	do.
7.	P. Ramanatha Menon	do.	do.
8.	K. Krishna Menon	Finger print clerk	do.
9.	O. Ramankutty Menon	Typist	25—40—60
10.	M. Sankunny Menon	Clerk	25—40
11.	K. Achyutha Menon	do.	do.
12.	M. Parameswara Menon	do.	20
13.	M. K. Narayana Pillai	Malayalam Shorthand Reporter	20—30
14.	C. Krishnankutty Nayar	Masapady	10
	Christians		
1.	P. R. John (Romo Syrian)	Clerk	40—60
2.	C. U. Thavu (Jacobite)	Typist-clerk	25—40
3.	O. T. Silvester (Latin Catholic)	Clerk	25
	Ezhuvas		
1.	A. R. Narayanan	Clerk	25—40
2.	T. I. Achyuthan	do.	do.
3.	V. M. Madhavan	Offg. Attender	16
	Anglo Indian		
1.	John Vivera	Clerk	20
	Other Hindu (Ambalavasi)		
1.	A. Chakrapani Marar	Clerk	25—40
	Tamil Brahmins		
1.	T. R. Krishna Ayyar	Clerk	25—40
	Jews		
1.	Miss Ruby E. Daniel	Attender	16

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